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NOTIFICATIONS BY GOVERNMENT

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SCHOOL EDUCATION DEPARTMENT
(PS)

THE ANDHRA PRADESH SCHOOL EDUCATION REGULATORY AND
MONITORING COMMISSION RULES, 2020.

[G.O.Ms.No28, School Education (PS), 28th May, 2020.]

NOTIFICATION

In exercise of the powers conferred under sub section (1) of section 22 of the Andhra Pradesh School Education Regulatory and Monitoring Commission Act, 2019 (Act No.21 of 2019) the Governor of Andhra Pradesh hereby makes the following rules, namely:

THE RULES

1. Short Title and Commencement:

- i. These Rules may be called the Andhra Pradesh School Education Regulatory and Monitoring Commission Rules, 2020;
- ii. These Rule shall extend to the entire State of Andhra Pradesh;
- iii. They shall come into force with effect from the date of publication in the official Gazette.

2. Definitions:

- (i) In these rules unless the context otherwise requires -
- a. "Act" means the Andhra Pradesh School Education Regulatory and Monitoring Commission Act, 2019;
 - b. 'APMS' means Andhra Pradesh Model School;
 - c. 'APREIS' means Andhra Pradesh Residential Educational Institutions Society;
 - d. 'CSE' means Commissioner of School Education, AP
 - e. 'CIE' means Commissioner of Intermediate Education, AP
 - f. 'DIET' means District Institute of Education and Training;
 - g. 'ERTW' means Education Research and Training wing;
 - h. 'Eminent Academician' means a person who has rendered over 20 years of professional experience in the field of Education having worked in a renowned Education Institution and preferably having published works on education in journals of National and International repute;
 - i. 'Eminent Chartered Accountant' means a Chartered Accountant who has over 20 years of experience in the field of Accounting.
 - j. 'NCTE' means National Council for Teacher Education;
 - k. "State" means the State of Andhra Pradesh;
 - l. 'SS' means Samagra Shiksha;
 - m. 'SCERT' means State Council of Educational Research and Training;
 - n. 'SIVE' means State Institute of Vocational Education;
 - o. 'Malpractice' includes assurances guaranteed of success by an institution in a competitive examination and /or annual board or periodic examination conducted by the competent authority inducement or coercion any kind influencing the choice of students.
- ii. The Words and Expressions used but not defined in these rules shall have the meaning as assigned to them in Andhra Pradesh School Education Regulatory and Monitoring Commission Act, 2019.

3. Constitution of the Commission:

- (i) Search -Cum -Selection Committee-
- The Government shall constitute a search-cum-selection Committee as specified under sub-section (2) of section 5 of the Act;
- (ii) Procedure at Search-cum -selection Committee meetings:
- a. The Chairperson of the Search-cum-selection Committee shall preside over the meeting of the Search-cum-selection Committee;
 - b. The Chairperson of the Search cum Selection Committee shall be empowered to determine the term of the Search cum Selection Committee;
 - c. In case of a difference of opinion amongst the members of the Search-cum -selection Committee, the matter shall be decided by the majority of the members present and voting;
 - d. Each member of the Search-cum-selection Committee shall have one vote, and in case of equality of votes on any question to be decided by the Search-cum-selection Committee, the chairperson or the member presiding over the meeting shall have a casting vote.

(iii) Selection of the Commission –

The Search-cum-selection Committee shall select members of the Commission in accordance with Section 4(1) of the Act;

4. The Terms and Conditions:

The terms and conditions of service of Chairperson and Members of the Commission will be notified by the Government from time to time as deem appropriate;

5. Meeting of the Commission:

The Commission shall meet at least once in a month, at such time and place and observe such procedure, as may be prescribed internally.

6. Act or proceeding of the Commission:

No act or proceeding of the Commission shall be deemed to be invalid merely by a reason of any vacancy in the constitution of the Commission.

7. Maintenance of Standards of Education:

- i. The Commission shall perform all functions as laid-down at Section 9 of the Act as well as such other functions as may be deemed fit to achieve the objectives laid-down at section 9 (i) to (xii) of the Act;
- ii. The Commission shall work in close Co-ordination with the statutory bodies and other stake holders including the Student Parent Committee;
- iii. The Commission shall have the power to visit, review, inspect any Educational Institution to satisfy itself of the compliance of such institutions with the norms of infrastructure, teaching, teaching education, student assessments, examinations and qualifications are being maintained by the educational institutions.
- iv. The Commission shall have the power to interact with the students, teachers, management of all educational institutions in order to appreciate the prevailing education system and take appropriate action and advice the government appropriately.
- v. The commission shall recommend methods to monitor and regulate all aspects of the tutorial institutions' management with specific focus on fee collected and steps to ensure the protection of interest of the students.
- vi. For maintenance of Academic standard, the Commission shall:
 - (a) Ensure implementation of the curriculum framed by the SCERT for Primary and Secondary Schools, Board of Intermediate, NCTE, Syllabi, Textbooks developed by the SCERT in Private Teacher Training Institutions recognized by the State Government and curriculum developed by ERTW.

- (b) Frame guidelines for conducting of examinations systematically at all levels of classes I to XII in all the educational institutions.
- (c) Shall advise CSE, CIE, SCERT, ERTW, SIVE and DIETs in conducting research related to improvement of quality education and to examine the research reports and prepare appropriate recommendation to the Government.
- (d) Shall advise on best teaching practices to be followed at all levels and appropriate academic desired standards for Teachers in Education Institutions.
- (e) Shall advice on innovative and progressive methods in conducting Assessments and Evaluation of the students from Pre-Primary to Class XII and Teacher Education including Tutorial institutions.
- (f) Shall review and prescribe improvements in student periodical assessments.
- (g) Frame guidelines recommend the measures to the state government to curb malpractices by the educational institution.

8. Fee Regulation:

- i. Every Educational institution shall submit the proposed fee structure of admissions along with all the relevant documents and books of accounts for scrutiny to the Commission based on the notification issued by the commission from time to time;
- ii. The commission shall decide whether the fees proposed by the institution is justified and does not amount to profiteering or charging of capitation fee.
- iii. The commission shall be at liberty to approve or alter the proposed fee.
- iv. The Commission shall recommend the fee to be charged by the Private Educational Institutions Class and category wise in the State by duly taking into consideration of all the relevant parameters such as
 - a. Location
 - b. Infrastructure of the institution
 - c. The operational costs in processing applications and registrations and other relevant circumstances.
 - d. Medium of Instruction
 - e. The expenditure on administration and maintenance
 - f. In case of transfer of Students from one Institution to other Institution, the procedure for payment of fee in the Institution to which the Student is transferred.
- v. No Educational Institutions like Primary, Upper-Primary, Secondary, intermediate and Teacher Education including Tutorial Institutions shall collect at a time a fee which is more than one year's fee from a candidate.

9. Penalties:

The commission may in case of violations of the prescribed rules mentioned therein, shall recommend the appropriate authority to take necessary action as per the provisions of section 9 & 10 of Act 5 of 1983.

10. Service Conditions of Teachers:

- i. Qualification-
The Commission shall ensure that all educational institutions follow the qualification guidelines / rules prescribed by the State Regulatory Authorities and NCTE respectively;
- ii. Selection and Appointment -
The Commission shall ensure that the selection and appointment of all Teachers and Teaching faculties in Schools, junior colleges and Teacher Education including Tutorial Institutions are done in accordance with guidelines prescribed by the State Regulatory Authorities and NCTE respectively;
- iii. No person who does not possess the requisite qualifications prescribed by Regulatory Authorities shall be appointed as a teacher/Teaching Faculty in a Educational Institution respectively;
- iv. The pay and allowances of teachers employed in the educational institution shall be paid on or before such day every month, in such manner and by or through such officer or authority as may be prescribed;
- v. Schedule of employment to be maintained:
 - a. Every Educational Institution shall maintain a schedule of employees indicating there in the number of persons in its employment, the name and qualification of each employee, the pay and such other particulars;
 - b. The Educational Institution shall update the information on the web from time to time.

11. Grievance Redressal Mechanism:

The Commission shall develop an appropriate mechanism for the receipt and Redressal of grievances of students and parents in a time bound manner;

12. Finance, Accounts and Audit:

The Financial, Accounts and Audit matters to be attended by the Commission as per the procedure prescribed under Section 12,13,14,15 and 16 of the Act.

13. Establishment of I.T Cell:

The Commission shall setup a compact IT cell to develop a State-wide database on all matters concerning Educational Institutions in order to monitor and shall prescribed parameters that are to be included.

14. Appointment of Secretary:

- i. The Government may appoint a Secretary in consultation with the Commission who will be Chief Executive Officer of the Commission as per sub-section (2) of section 4 of the said Act;
- ii. The Secretary to the Commission shall be appointed on deputation / Foreign service / contractual basis for a period of three years extendable further by the Government on the recommendation of the Chairperson by not more than two years or until he or she attains the age of 70 years whichever is earlier;
- iii. The terms and conditions of the Service of Secretary of the Commission shall be determined by the Government from time to time as deemed appropriate.

15. Appointment and Conditions of Service of Officers and Staff

- i. With the prior approval of the Government the Commission may appoint / engage suitable persons having requisite qualification and experience from time to time on deputation / Foreign service / contract / outsourcing basis on such terms and conditions as the Commission may decide.
- ii. For outsourced staff, the Commission shall follow the prevailing remuneration rates as prescribed by the Government.
- iii. For Contractual Staff, the Commission shall determine the terms and conditions in the contract agreement.
- iv. In the case of staff other than the Secretary, the Secretary of the Commission shall be the disciplinary authority and the Chairperson will be the appellate authority.

2. This order issues with the concurrence of Finance (FMU. School Education) Department vide their U.O. No.FMU0DSD (SE)/3/2020 (Computer No. 1085647), Dt. 14-04-2020.

B. RAJSEKHAR,
Principal Secretary to Government.

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